

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

IN RE: JOHNSON & JOHNSON TALCUM  
POWER PRODUCTS MARKETING, SALES  
PRACTICES, AND PRODUCTS LIABILITY  
LITIGATION

MDL No. 16–2738 (MAS) (RLS)

**DECLARATION OF JOHN EWALD, ESQ., IN SUPPORT OF  
DEFENDANTS JOHNSON & JOHNSON AND LLT MANAGEMENT  
LLC’S OPPOSITION TO PLAINTIFFS’ MOTION TO EXCLUDE THE  
OPINIONS OF DR. KATHLEEN SUTCLIFFE**

I, John Ewald, Esq., declare as follows:

I am an attorney and a partner with the law firm King & Spalding LLP, counsel for Defendants Johnson & Johnson and LLT Management, LLC in the above-captioned matter. The facts stated in this Declaration are true of my own personal knowledge. I submit this Declaration in Support of Defendants’ Opposition to Plaintiffs’ Motion to Exclude the Opinions of Dr. Kathleen Sutcliffe.

1. Attached hereto as **Exhibit 1** is a true and correct copy of the expert report of Dr. Kathleen M. Sutcliffe, Ph.D., dated April 12, 2024.

2. Attached hereto as **Exhibit 2** is a true and correct copy of excerpts of the deposition of Dr. Kathleen M. Sutcliffe, Ph.D., dated May 28, 2024.

3. Attached hereto as **Exhibit 3** is a true and correct copy of Emerging Trends in Aviation Safety, *Emerging Hazards in Commercial Aviation—Report 2: Ensuring Safety During Transformative Changes* 57 NAT’L ACADS. OF SCI., ENG’G, AND MED. (2024).

4. Attached hereto as **Exhibit 4** is a true and correct copy of an excerpt of MILES, MATTHEW B. AND A. MICHAEL HUBERMAN, QUALITATIVE DATA ANALYSIS (2nd ed. 1994).

5. Attached hereto as **Exhibit 5** is a true and correct copy of Maitlis, Sally and Marlys Christianson, *Sensemaking in Organizations: Taking Stock and Moving Forward*, 8(1) THE ACAD. OF MGMT. (2014).

6. Attached hereto as **Exhibit 6** is a true and correct copy of Cristofaro, Matteo, *Organizational sensemaking: A systematic review and a co-evolutionary model*, 40(3) EUROPEAN MGMT. J. (June 2022).

7. Attached hereto as **Exhibit 7** is a true and correct copy of Carr, C. Jelleff, The Int’l Soc. Of Reg. Toxicology & Pharmacology and USDA, *Talc: Consumer Uses and Health Perspectives*, Bethesda, Maryland, Jan. 31-Feb. 1, 1994, 21 REG. TOXICOLOGY AND PHARMACOLOGY 211-215 (Oct. 1, 1994) (DX9060).

8. Attached hereto as **Exhibit 8** is a true and correct copy of a letter from the Cosmetic, Toiletry, and Fragrance Ass’n to the Director of the Nat’l Toxicology Program (March 18, 2002) (JNJTALC000109268).

9. Attached hereto as **Exhibit 9** is a true and correct copy of an excerpt of Johnson & Johnson Consumer, Inc., Johnson's Baby Talcum Powder: A Comprehensive Review (Marcy 17, 2020) (JNJALC001465273).

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: August 22, 2024

A handwritten signature in black ink, appearing to read "John Ewald", is written above a horizontal line.

John Ewald